California Regional Water Quality Control Board
North Coast Region

CLEANUP AND ABATEMENT ORDER NO. R1-2001-84

FOR

Redwood Enterprises
Bad Benitas
Benita Jeppson

6598 Montecito Boulevard
Santa Rosa

Sonoma County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. Redwood Enterprises has owned property at 6598 Montecito Boulevard in Santa Rosa (hereinafter the Site) since 1975 or prior. Benita Jeppson dba Bad Benitas operates a retail gasoline service station at the Site. Redwood Enterprises and Benita Jeppson dba Bad Benitas are hereinafter collectively referred to as the Dischargers.

2. The Site is located at the southwest corner of Montecito Boulevard and Middle Rincon Road in the Montecito Village Shopping Center in Santa Rosa, California. The Site is bordered on the north and east by residential properties and on the west and south by commercial properties in the shopping center as shown in Attachment A hereto.

3. In September 1964, the Santa Rosa Fire Department (SRFD) issued a permit to operate a Texaco Service Station at the Site. The underground storage tank (UST) system at the Site consists of four 6,000-gallon steel USTs and two fuel dispensing islands.

4. In 1995, the tank system was tested for leaks by M.R.L. Underground Tank Testing, Inc., of Santa Rosa. Tank #3, which contained unleaded plus gasoline, failed the test. This tank was emptied and taken out of service.

5. In 1997, an application was submitted to SRFD by Sessions Tank Liners, Inc. to reline the USTs. The SRFD required the collection of soil samples from soil borings as a permit requirement. The soil borings were drilled in March 1997 and the tanks were lined in April 1997. The lined tanks are the original tanks installed in the 1960s.

6. Analytical results of soil samples collected by Consolidated Testing Laboratories, Inc. from five testhole borings showed the presence of significant levels of petroleum hydrocarbons in soil. In May 1999, Regional Water Board staff requested that Mr. Ernest Thomas and Mr. and Mrs. Jeppson submit a work plan to define the extent of contamination.

7. A work plan was submitted in January 2000 on behalf of Ernest Thomas of Redwood Enterprises. Site investigative work was conducted in March 2001 including the drilling of six soil borings and the collection of soil and groundwater samples. Total Petroleum Hydrocarbons as gasoline (TPHg) were detected in soil at up to 1,200 parts per million (ppm). Groundwater analytical results showed the presence of the following constituents:

Constituent	Analytical results ug/l or parts per billion (ppb)
TPHg	800,000
Benzene	12,000
Methyl tert Butyl Ether (MtBE)	54,000
Tertiary Butyl Alcohol (TBA)	150,000
Tert Amyl Methyl Ether (TAME)	4,000

8. Numerous water supply wells exist in the vicinity of the Site. The nearest two wells are located in the Montecito Village Shopping Center. One of these wells (located at 760 Montecito Boulevard) supplies water for a laundromat including washing machines, bathrooms and sinks. The second well (located at 6240 Montecito Boulevard) provides irrigation water for the shopping center. Thirty-one wells were found to be located within 2,000 feet of the Site including five drinking water wells. The nearest drinking water wells are located approximately 800 to 1,000 feet from the subject Site.

9. On July 12 and 13, 2001, Regional Water Board staff inspected the Site during UST system upgrade activities including the replacement of single walled fiberglass piping, the installation of dispenser pans and turbines. Fresh gasoline product was observed beneath three of four dispensers. The soil surrounding the underground storage tanks was obviously stained. Staff concluded that a recent and ongoing discharge has occurred.

10. MtBE is present in soil and groundwater beneath the Site. The levels of MtBE and the proximity of drinking water wells allow the Site to be prioritized as Priority Class A under the State Water Resources Control Board draft "Guidelines for Investigation and Cleanup of MtBE and Other Ether-Based Oxygenates." Priority A sites with high concentrations of MtBE and a large release mass should have concentrations and mass reduced before the contaminated groundwater plume can spread. Long-term impacts to water quality are likely to be reduced and cost effectiveness could be increased if interim remediation is performed. Aggressive interim remediation in the source area can help diminish the chances of creating a large diluted plume of MtBE. A large diluted plume would be more difficult to remediate and could have widespread impacts.

11. Additional responsible parties may exist, including past owners and/or operators. Continued review of the historical record, facts and data may result in additional parties being named in this Order as Dischargers, in which case this Order would be revised.

12. Water quality objectives exist to ensure protection of the beneficial uses of water. Several beneficial uses of water exist, and the most stringent water quality objectives for protection of all beneficial uses are selected as the protective water quality criteria. Alternative cleanup and abatement actions need to be considered that evaluate the feasibility of, at a minimum: (1) cleanup to background levels, (2) cleanup to levels attainable through application of best practicable technology, and

(3) cleanup to protective water quality criteria levels. The following water quality objectives apply to this Site:

Constituent of Concern	Background Level ug/l	Water Quality Objective ug/l	Reference for Objective
Total Petroleum Hydrocarbons as gasoline (TPH-g)	≤50.0	50.0	Published literature provides a taste and odor threshold of 5 ug/l which is applied to the narrative TASTE and ODOR objective of the Basin Plan for domestic supply, but detection limit is 50 ug/l and is controlling
Total Petroleum Hydrocarbons as diesel (TPH-d)	≤50.0	56.0	USEPA health advisory of September 4, 1992, Suggested No Adverse Response Level of 56 ug/l is applied to narrative TOXICITY water quality objective for domestic supply in the Basin Plan
Total Petroleum Hydrocarbons as motor oil	≤50.0	50.0	U.S. EPA National Ambient Water Quality Criteria, Freshwater Aquatic Life Protection, May 1, 1986. SNARL of 0.1 ug/l to 1.0 ug/l is applied to the narrative TOXICITY objective in the Basin Plan and Oil and Grease objective of the Basin Plan, but detection limit is 50 ug/l and is controlling
Benzene	≤0.5	1.0	California DHS MCL, Title 22 of the California Code of Regulations, § 64444 is 1.0 ug/l for domestic supply; USEPA health advisory for cancer risk is 0.7 ug/l; applied to the narrative TOXICITY objective in the Basin Plan
Toluene	≤0.5	42	California DHS MCL, Title 22 of the California Code of Regulations, § 64444 is 150 ug/l for

Constituent of Concern	Background Level ug/l	Water Quality Objective ug/l	Reference for Objective
			domestic supply; USEPA taste and odor threshold is 42 ug/l, Federal Register 54(97):22064-22138; applied to the TASTE AND ODOR water quality objective for domestic supply in the Basin Plan
Ethylbenzene	≤0.5	29	California DHS MCL, Title 22 of the California Code of Regulations, § 64444 is 700 ug/l; USEPA taste and odor threshold is 29 ug/l, Federal Register 54(97):22064-22138; applied to the TASTE AND ODOR water quality objective for domestic supply in the Basin Plan
Xylene	<0.5	17	California DHS MCL, Title 22 of the California Code of Regulations, § 64444 is 1750 ug/l for domestic supply; USEPA taste and odor threshold, Federal Register 54(97):22064-22138 is 17 ug/l; applied to the TASTE AND ODOR water quality objective for domestic supply in the Basin Plan
Tertiary Butyl Alcohol	<10.0	12	Department of Health Services Interim Action Level.
Methyl-tertiary Butyl Ether (MtBE)	<0.5	5	California DHS secondary MCL for taste and odor threshold of 5 ug/l, which is applied to the narrative TASTE and ODOR water quality objective for domestic supply in the Basin Plan. OEHHA has established a Public Health Goal (PHG) of 13 ug/L, based on carcinogenic

Constituent of Concern	Background Level ug/l	Water Quality Objective ug/l	Reference for Objective
			effects observed in experimental animals.
Tertiary Amyl Methyl Ether (TAME)			None established

13. Existing and potential beneficial uses of areal groundwater include domestic, agricultural, industrial and municipal water supply.

14. The Dischargers, by virtue of their ownership or operation of the Site, have caused or permitted, causes or permits, or threatens to cause or permit waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state and create, or threaten to create, a condition of pollution or nuisance. The discharge and threatened discharge of waste is deleterious to the beneficial uses of water and is creating and threatens to create a condition of pollution and nuisance which threatens to continue unless the discharge and threatened discharge is permanently abated.

15. This enforcement action is being taken for the protection of the environment and, therefore, is exempt from provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

THEREFORE, IT IS HEREBY ORDERED that, pursuant to California Water Code Sections 13267(b) and 13304, the Dischargers shall cleanup and abate the discharge and threatened discharge of waste by complying with the following tasks:

A. Abate the discharge to soil and groundwater forthwith.

B. Conduct interim remediation including the prompt cleanup of product and impacted soil and groundwater around and beneath the underground storage tanks, fuel dispensers and piping forthwith.

C. Submit a revised work plan for Regional Water Board Executive Officer concurrence to define the vertical and horizontal extent of groundwater contamination. This work plan is due within 15 days of completion of Task B.

D. Begin implementation of the plan within 30 days of Executive Officer concurrence with the plan.

E. Submit a report of completed work within 60 days of work plan implementation. This report shall include a work plan for Regional Water Board Executive Officer concurrence of any needed additional effort to define the extent of contamination.

F. Continue with Task D and the work under the workplan required under Task E until the vertical and horizontal extent of groundwater contamination has been defined.

G. Submit a Corrective Action Plan (CAP) prepared according to the requirements of Title 23, Division 3, Chapter 16, Article 11, Section 2725 within 45 days of Regional Water Board Executive Officer's determination that Task F has been completed.

H. Submit updates on the sensitive receptor survey as directed by Regional Water Board staff.

I. Submit a list by October 15, 2001 of interested party names and addresses, including contiguous landowners and all owners and operators of wells identified in the sensitive receptor survey.

J. Submit a draft Site Conceptual Model by November 15, 2001.

K. Complete any additional work deemed reasonably necessary by the Regional Water Board Executive Officer to abate and cleanup the discharge of waste.

L. If, for any reason, the Discharger is unable to perform any activity or submit any documentation in compliance with the work schedule set forth herein or in compliance with any schedule submitted pursuant to the Order and approved by the Executive Officer, the Discharger may request, in writing, a time extension. The extension request must be submitted at least 15 days in advance of the due date and must include justification for the delay.

Ordered by _____
Susan A. Warner
Executive Officer

July 31, 2001

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